IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION No.25815 of 1998
Dated:16.03.2007

Between:

Small Industries Welfare Council, A.P.,
Hyderabad, reptd., by its General
Secretary, T.Nageswara Babu.

..... PETITIONER

And:

The State of A.P., reptd., by its
Principal Secretary to Municipal
Administration & Urban Development (M1)
Department, Hyderabad and another.

.....RESPONDENTS

HON'BLE SRI JUSTICE R.SUBHASH REDDY
WRIT PETITION No.25815 of 1998

ORDER:

In this writ petition, the petitioner has questioned the penal amount rates fixed in G.O.Ms.No.419 (M.A), dated 30.07.1998 for regularization of the deviated/unauthorized structures.

It is submitted by learned counsel for the petitioner that inasmuch as the petitioner-small scale industry is concerned, there is no much constructed area and it is being run under the sheds.

It is not understandable as to how the same can be a ground to question the validity of the penal amount rate fixed in the said G.O. If there is no area of construction, which is unauthorized one within the meaning of G.O.Ms.No.419, the same will not attract penal amount at all. The amount fixed in the said G.O. applies only where the constructions were made unauthorisedly, without due permission from the competent authority, as required under the Hyderabad Municipal Corporations Act. Therefore, the above argument of learned counsel for the petitioner cannot be countenanced at all to question the quantum of penalty. As no other argument is advanced, I do not find any merit in the writ petition to grant the relief sought for.

The writ petition is, accordingly, dismissed. There shall be no order as to costs.

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R.SUBHASH REDDY, J

16.03.2007
dr